

1 WILMER CUTLER PICKERING
2 HALE AND DORR LLP

3 SONAL N. MEHTA (SBN 222086)
4 Sonal.Mehta@wilmerhale.com
5 2600 El Camino Real, Suite 400
6 Palo Alto, California 94306
7 Telephone: (650) 858-6000
8 Facsimile: (650) 858-6100

9 DAVID Z. GRINGER (*pro hac vice*)
10 David.Gringer@wilmerhale.com
11 7 World Trade Center
12 250 Greenwich Street
13 New York, New York 10007
14 Telephone: (212) 230-8800
15 Facsimile: (212) 230-8888

16 ARI HOLTZBLATT (*pro hac vice*)
17 Ari.Holtzblatt@wilmerhale.com
18 MOLLY M. JENNINGS (*pro hac vice*)
19 Molly.Jennings@wilmerhale.co
20 1875 Pennsylvania Avenue, NW
21 Washington, DC 20006
22 Telephone: (202) 663-6000
23 Facsimile: (202) 663-6363

24 *Attorneys for Defendant*
25 FACEBOOK, INC.

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28 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

29 MAXIMILIAN KLEIN, et al.,

Case No. 5:20-cv-08570-LHK

30 Plaintiffs,

**DEFENDANT FACEBOOK, INC.’S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE REPLY TO
PLAINTIFFS’ RESPONSES TO
FACEBOOK’S ADMINISTRATIVE
MOTION FOR CLARIFICATION
OF ORDERS CONSOLIDATING
LOVELAND AND ROSENMAN
WITH KLEIN**

31 v.

32 FACEBOOK, INC., a Delaware corporation,

33 Defendant.

34
35 Judge: Hon. Lucy H. Koh

1 Pursuant to Civil L.R. 7-11(a), Defendant Facebook, Inc. respectfully moves for leave to
 2 file the attached Reply to Consumer Plaintiffs' Response to Defendant Facebook, Inc.'s
 3 Administrative Motion for Clarification of Orders Consolidating *Loveland* and *Rosenman* with
 4 *Klein* (Dkt. 193) and *Loveland* Plaintiffs' Response to Defendant Facebook, Inc.'s Administrative
 5 Motion for Clarification of Orders Consolidating *Loveland* and *Rosenman* with *Klein* (Dkt. 194).
 6 Civil L.R. 7-11 does not contemplate the filing of a reply in connection with an Administrative
 7 Motion. *See* Civil L.R. 7-11(c). However, despite numerous emails between the parties about the
 8 issues raised in Facebook's Administrative Motion for Clarification, Facebook learned of
 9 plaintiffs' proposed relief for the first time only when reading plaintiffs' response. *See* Declaration
 10 of David Z. Gringer ¶ 2. A reply brief is proper when a party makes new arguments in a response
 11 to a motion. *See, e.g.*, *Illumina Inc. v. BGI Genomics Co., Ltd.*, 2021 WL 2662074, at *2-3 (N.D.
 12 Cal. June 29, 2021). Accordingly, Facebook respectfully requests leave to file the attached Reply
 13 to address plaintiffs' proposal. Counsel for Facebook requested a stipulation from plaintiffs'
 14 counsel to the relief sought herein, but counsel for Users and counsel for the *Loveland* plaintiffs
 15 did not agree to the stipulation, and counsel for *Rosenman* did not respond. *See* Declaration of
 16 David Z. Gringer ¶ 3.

17
 18 Dated: November 18, 2021

Respectfully submitted,

19
 20 By: /s/ David Z. Gringer
 21 SONAL N. MEHTA (SBN 222086)
 22 sonal.mehta@wilmerhale.com
 23 WILMER CUTLER PICKERING HALE
 24 AND DORR LLP
 25 2600 El Camino Real, Suite 400
 26 Palo Alto, CA 94306
 27 Telephone: (650) 858-6000

28
 25 DAVID Z. GRINGER (*pro hac vice*)
 26 david.gringer@wilmerhale.com
 27 WILMER CUTLER PICKERING HALE
 28 AND DORR LLP
 7 World Trade Center

1 250 Greenwich Street
2 New York, New York 10007
3 Telephone: (212) 230-8800

4 ARI HOLTZBLATT (*pro hac vice*)
5 ari.holtzblatt@wilmerhale.com
6 MOLLY M. JENNINGS (*pro hac vice*)
7 molly.jennings@wilmerhale.com
8 WILMER CUTLER PICKERING HALE
9 AND DORR LLP
10 1875 Pennsylvania Avenue, NW
11 Washington, DC 20006
12 Telephone: (202) 663-6000

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November 2021, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System.

/s/ David Z. Gringer
David Z. Gringer